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28 December 1961

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b7E -3,8 per FBI



*Rutledge 1, 2, 3
Fleming 4, 6, 7
Malone 5
Jones 7, 8
Leahy 9
Trotter (last)*

*file 2
5-111*

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5-TWL*

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5-541
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CENTRAL INTELLIGENCE AGENCY

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9 JAN 30 1962 b3 -1 per FBI
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Ch. C. Jones 2/1

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NEAR EAST - AFRICA

5. New Outbreaks of Sabotage in South Africa

A second wave of organized sabotage, more extensive than that which occurred last September and October, has broken out in South Africa. In the period 16-20 December there were at least 14 bombings, most of them in the Johannesburg area with a few in Durban and Port Elizabeth. The main targets have been power transmission facilities and local government offices. [redacted]

(S) [redacted] feels that local European and African Communists and sympathizers probably planned the bombings; they apparently used saboteurs who had been trained abroad.

The attempts were poorly executed and caused little damage; nevertheless, they probably lowered the morale of the country's Europeans. South African security forces have so far not caught the ringleaders, and further outbreaks can be expected.

Member
The organization responsible for the bombings of 16-20 December, as well as for those of September and October, apparently is the "National Liberation Committee" (NLC), a clandestine group of whites and Africans which has strong ties with South African exile groups in Britain, Ghana, and the UAR. The exiles are grouped in an uneasy coalition which includes both Communists and anti-Commun-

nists. Within South Africa, however, all evidence indicates that anti-Communist organizations such as the Pan-Africanist Congress (PAC) and the Liberal party have refused to participate in the NLC's activity.

The NLC appears to be dominated by such Africans as Nelson Mandela and Duma Nokwe, and such whites as Benjamin Turok, all of whom are Communists or amenable to Communist influence. *South Africa*

Although both the PAC and the Liberals have contacts abroad, there has been no indication that they have the ability to mount a program of sabotage. *b1 Per CIA b3*

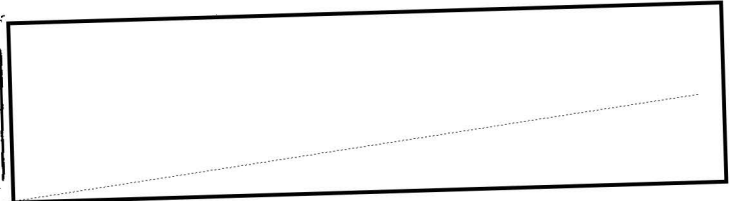
The bombings are likely to destroy all hopes of white South Africans for relative tranquility and a modest economic upturn next year. Economists had been encouraged by the increase in the country's gold and foreign exchange reserves which followed the imposition of import and capital transfer restrictions in the first half of 1960. They had hoped that with more money in the country, private long-term investment from internal sources, which had been almost nonexistent for more than a year and a half, would be encouraged. Private investors are unlikely to commit their capital in the face of sabotage, however, and economic stagnation--with its attendant political difficulties arising from unemployment and reduced

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b1 Per CIA
b3

real income--is likely to be a
continuing factor. (~~SECRET NO-
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DEPARTMENT OF STATE

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SOUTH AFRICA

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AIR POUCH

HANDLING INDICATOR

TO : DEPARTMENT OF STATE
 INFO : CAPE TOWN, JOHANNESBURG, DURBAN, PORT ELIZABETH
 and SALISBURY

FROM : AmEmbassy, PRETORIA

SUBJECT : Continuation of Government Touchiness on Security and
Opposition.REF : Emb.Airgram A-65, August 9, 1962; A-53, August 3, 1962;
A-13, July 12, 1962.

The arrests of African National Congress (ANC) leaders, Walter
SISULU (now free on R.1000 bail) and Nelson MANDELA (to be tried
 October 15-19), followed by more arrests, are beginning to look like part
 of a general stepped up government program to control dissidence.
 Brig. W.C.E. PRINSLOO, Chief of the Security Branch, has in fact
 acknowledged, according to the press, that there has been a tightening
 of security measures. The following are some of the more significant
 and more highly publicized developments that have occurred recently
 along these lines.

A Cape Town Colored City Councillor, George PEAKE, was arrested
 at Kimberly, August 16, when he failed to show up at a police station to
 which he was under orders to report twice daily while free on bail of
 R.2,000. (He had been charged in May, 1962 with "trying to cause an
 unlawful explosion"). PEAKE on January 24, 1962, also had been
 sentenced to a year's imprisonment on charges of having incited people
 to contravene the Group Areas Act in September, 1962 at a meeting in
 Claremont, Cape Town. His appeal before the Supreme Court was
 presented by Donald MOLTENO, Liberal Party constitutional expert,
 and A. L. SACHS, long an active member of the Congress of Democrats.
 (Judgment has been "reserved".)

Three other persons, Arnoldus BEYLEVELD, Eve Diana HALL, and
 Benjamin TUROK (already under arrest in connection with the sabotage
 bombing attempts of December, 1961) have been charged with "attacking

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Drafted by:

RJTorrance/ihh

Contents and Classification Approved by:

GEdward CLARK, Counselor of Embassy.

Clearances:

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MAY 13 1964

DEPARTMENT OF STATE
BUREAU OF INTELLIGENCE AND RESEARCH

STATE DEPT OHB

Research Memorandum
24 April 20, 1964

b3 -1 per FBI
b7E -3 per FBI

To : The Secretary
Through: S/S
From : INR - Thomas L. Hughes

Thomas L. Hughes

Subject: Worldwide Implications of South Africa's "Rivonia" Trial

In response to several requests, this paper tries to anticipate some of the complications for US policy which would result if death sentences were handed down at South Africa's "Rivonia" trial.

ABSTRACT

Death Sentences Would Stir World Opinion. If the current South African "sabotage trial" should result in a death sentence for African nationalist Nelson Mandela or any of the other eight defendants, there will be world-wide -- and particularly African -- condemnation of South Africa, along with strong pleas for clemency. Recent legislation permits the death penalty for any of the charges, which include conspiring with the South African Communist Party to commit sabotage, preparing for the violent overthrow of the South African Government, and furthering the objectives of communism (so broadly defined that it includes the encouragement of inter-racial hostility likely to lead to "dictatorship of the proleta

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b7E -8 per FBI

Death sentences would focus international attention on South Africa, particularly at the UN, where several initiatives looking for security Council action have already been taken. A UN appeal to South Africa for release of the prisoners and clemency for those sentenced to death in an earlier trial may be combined with a time limit for South Africa's compliance

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failing which stronger action would be considered. There are already strong pressures for world-wide condemnation of the present series of South African "sabotage trials," of which the "Rivonia" trial involving Mandela and his co-defendants is the best known. These pressures are gathering additional momentum from the recommendations made by the UN's expert study group on South Africa and the April 14-18 international conference in London, which recommended broad economic sanctions against South Africa.

Implications for the US. While direct appeals to South Africa for clemency in the "Rivonia" trial may emanate from many parts of the world, the burden of pressure from African and Asian states will fall upon the US. These states regard opposition to apartheid as wholly justifiable in any form and are deaf to arguments of interference in South Africa's domestic affairs or to the longer-range implications of communist involvement in the alleged subversive actions. The issue of political trials is but one in a series of contentious problems being used by the Afro-Asians, particularly at the UN, to force the US

to take a more active position against the apartheid problem. This particular issue will be regarded by many Africans as a test for the Johnson Administration.

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I. INTRODUCTION

South Africa

The fate of nine defendants on trial in Pretoria on charges of sabotage and treason may have considerable bearing on the scope and form of world-wide pressures against South Africa in coming months. Eight of the defendants -- five Africans, two Europeans, and one Indian -- were arrested in a raid in July 1963 on the "Rivonia" farm, alleged headquarters of an elite sabotage organization called "Spear of the Nation." The key defendant, the internationally-known and widely respected African nationalist Nelson Mandela, was in jail (on unrelated charges) when the "Rivonia" indictments were brought to court.¹ The "Rivonia" trial opened on December 20, recessed in March at the conclusion of the prosecution's presentation, and resumed on April 20 for the defense case, which may require three to four weeks. Immediately upon the re-opening of the trial, Nelson Mandela made a lengthy statement touching on many of the basic charges of the prosecution.

The indictments against the accused charge them with 1) conspiring with the ~~South African Communist Party, the African National Congress, and the "Spear of the Nation"~~ to commit more than 200 acts of sabotage; 2) preparing for the violent overthrow of the South African Government through various stages of resistance, including guerrilla warfare; and 3) furthering the achievement of the objectives of communism. Under the broad terms of the relevant General Laws Amendment Acts of 1962 and 1963, proof of any part of these charges can warrant sentences of not less than five years, up to and including the death penalty. In fact, the terms of these laws place upon the accused the onus of disproving their guilt.

Mandela's statement admitted the responsibility of "Spear" for acts of sabotage, his own leadership role, and the participation and support of the South African Communist Party. In his statement, however, Mandela denied that: 1) he is a communist, 2) either "Spear" or the African National Congress is controlled by communists or by foreign powers, 3) the African National Congress has abandoned its policy of non-violence, 4) "Spear" is the military arm of the ANC, or 5) "Spear" intended to inflict bodily injury in the course of the sabotage. In defense of himself and the other defendants, Mandela made an impassioned but shrewd and well-reasoned plea that they turned to violence in 1961 only after 35 years of non-violence had resulted in increasing repression.

1. Of the nine defendants, three (Bernstein, Mhlaba, Motsoaledi) are admitted members of the South African Communist Party and two (Mbeki, Kathrada) are listed as communists by the South African Government. Brief biographic sketches appear in the Annex.

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The prosecution may request the death sentence for Mandela and several of his more important co-defendants. Imposition of the death sentence in cases of sabotage is subject to the discretion of the court. South Africa's judiciary has a reputation for independence and scrupulous objectivity, and several important government cases have ended in acquittal of the accused. Of 238 persons convicted of sabotage in 1963, only three received sentences of death, and five received life imprisonment. The remainder drew sentences of 2 to 20 years imprisonment. Early in 1964 three minor participants in "Spear" also received death sentences. In each instance to date, the death penalty has been predicated on injury or death of innocent bystanders.

Taking into account the heavy weight of evidence against the accused, it is possible that the presiding judge will impose the death penalty. Should a sentence of death be handed down, particularly for the well-known Mandela or his close associate, ~~Walter Sisulu~~, the repercussions in Africa would be severe. Death sentences for political opposition are still relatively rare in Africa -- even in authoritarian-inclined Ghana -- and Africans are certain to deny the culpability of those accused within the context of apartheid. Considerable worldwide pressure for commutation or clemency could be expected.

Russia China B. APPROX. 1/9/62
Even before a court decision in the Rivonia sabotage trial, the UN Security Council may be seized with the issue of political trials in South Africa. On March 23, after the three death sentences of "Spear" participants were announced, the UN's Special Committee on Apartheid issued an urgent report and sent appeals to the heads-of-state. The Security Council will probably consider by mid-May the Special Committee's proposed resolution, demanding the release of political prisoners. (See Chapter IV below.)

International attention will be focused on the South African issue at this time in any event because of four closely related actions. A group of experts appointed, at the Security Council's suggestion to examine peaceful solutions has recommended a national, inter-racial convention to be held in South Africa and a UN study of the logistics of sanctions. Another expression of international concern is the just-completed international conference in London on economic sanctions against South Africa, which gave strong support to the feasibility of sanctions by the US and the UK. This meeting was backed by several governments and included among its chairmen top governmental officials from Tunisia, Tanganyika, Northern Rhodesia, and Canada.

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ANNEX

BIOGRAPHIES OF THE DEFENDANTS

Nelson Mandela

A former practicing attorney in Johannesburg, Nelson Mandela joined the African National Congress (ANC) in 1944 and rose to the position of Deputy National President under President Albert Luthuli. Mandela was one of the organizers of the "Defiance Campaign" of 1952, in which thousands of demonstrating Africans deliberately accepted imprisonment in a show of non-violent opposition to apartheid. He was one of the 156 defendants in the Treason Trial of 1956, all of whom were acquitted in 1961. Mandela in 1961 became a leader of the ANC underground movement, gradually moving into a position of leadership in the "Spear of the Nation," an elite sabotage group which recruited from several political organizations belonging to the Congress Alliance, including the South African Communist Party and the African National Congress. He avoided arrest until 1962, when he was tried and convicted of leaving the country without a passport and inciting others to strike. Prior to his arrest, Mandela had traveled widely in Africa, obtaining financial support, as well as scholarships and military training for recruits. Although he freely admits accepting communist aid and support for "Spear," Mandela denies that he is a communist. He is one of the most articulate and popular of the African nationalists in South Africa. (46 years old)

Walter Sisulu

Sisulu joined the African National Congress in 1940, becoming Secretary-General in 1949. In 1953 he traveled in the USSR and China. He was a co-defendant in the Treason Trial and has been a key figure in the ANC and in "Spear" since the latter's inception. While staunchly left-wing in his views and long a close collaborator with communists, his personal views on communism remain in some doubt. (52 years old)

Dennis Goldberg (European)

Goldberg was an executive member of the Congress of Democrats (COD), an organization which participated closely with the ANC in the "Congress Alliance." The COD, which was banned in 1962, was a communist front. (31 years old)

Govan Mbeki

National Chairman of the ANC, Mbeki joined the organization in 1935. In 1951 he was listed as a communist by the government, despite his denial. (54 years old)

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ORIGIN/ACTION

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HANDLING II DICATOR

TO : Department of State

INFO: PRETORIA, JOHANNESBURG, DURBAN, ConGen CAPE TOWN

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FROM : AmEmbassy CAPE TOWN

DATE: January 31, 1969

SUBJECT: Prison Visits

REF : Cape Town A-3

Some additional information on certain prisoners has been obtained by Public Affairs Officer Royal D. Bisbee (Pretoria) in conversation with Justice John J. Trengove, a junior justice of the Pretoria Supreme Court.

Justice Trengove said that he recently visited Robben Island (in Table Bay, where political prisoners are incarcerated) and had a chance to see Robert Sobukwe and Nelson Mandela. Trengove said that Sobukwe has continual access to books and newspapers and appeared to be as happy as one could be under the circumstances. Trengove said that Mandela has lost weight but appears in good health.

SOUTH AFRICA

Mr. Bisbee judges Justice Trengove to be an objective observer, forthright and realistic, and without any apparent ulterior motivation.

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ON 10-15-2014

FORM 105-323

Drafted by:

POL:HK Campbell:ca 1/30/69

Contents and Classification Approved by:
The Ambassador

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